

# EXHIBIT M

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**From:** Paul.Morico@BakerBotts.com  
**Sent:** Monday, February 19, 2018 1:56 PM  
**To:** Trzop, Allison; liz.flannery@bakerbotts.com  
**Cc:** DLUCvChen@BakerBotts.com; WH Genia UCSC  
**Subject:** RE: UC v. Genia et al.: correspondence

Counsel,

Liz is out of the office this week, and so I am responding on her behalf regarding this issue.

Regarding the 2 documents you identify, while we do not concede the relevance or discoverability of those documents, we are investigating those documents with our client.

Regarding the remaining redaction in the license agreement, we disagree with your assertion that the privilege objection relating to this redaction was waived. In our written responses and objections to Defendants' requests that appear to cover this agreement (Requests # 25 and 29), we expressly stated that "The University also will not produce documents responsive to this request that are protected from discovery by the attorney-client privilege, attorney work-product doctrine, common-interest privilege, or any other applicable privilege or immunity." Certainly this would have put Defendants on notice that the University may withhold information responsive to these requests on the basis of privilege.

While the parties have not yet agreed to a date for a production of privilege log information, in an attempt to resolve your concerns about this redaction, we provide the following non-limiting basis for redacting this privileged information:

[REDACTED]

Regards,

Paul

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**BAKER BOTTS**



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**From:** Trzop, Allison [mailto:Allison.Trzop@wilmerhale.com]  
**Sent:** Thursday, February 15, 2018 10:48 AM  
**To:** Flannery, Liz <liz.flannery@bakerbotts.com>  
**Cc:** DL UC v Chen <DLUCvChen@BakerBotts.com>; WH Genia UCSC <WHGeniaUCSC@wilmerhale.com>  
**Subject:** RE: UC v. Genia et al.: correspondence

Counsel,

Thank you for your most recent production of a less redacted version of the UC-ONT License Agreement (the "Agreement"). I write to follow up on two points concerning the Agreement.

[REDACTED]

Second, pursuant to Federal Rule of Civil Procedure 26(b)(5), [REDACTED]

[REDACTED]

We disagree that our letter of February 6, 2018, did not address this issue as our letter explained, *inter alia*, that "objections to the production of an unredacted copy of the Agreement have been waived." We reserve all rights to revisit this issue after you have provided the information we request herein.

Regards,

Allison

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**From:** [liz.flannery@bakerbotts.com](mailto:liz.flannery@bakerbotts.com) [mailto:[liz.flannery@bakerbotts.com](mailto:liz.flannery@bakerbotts.com)]  
**Sent:** Friday, February 9, 2018 5:03 PM  
**To:** Passamaneck, Nora Q.E. <[Nora.Passamaneck@wilmerhale.com](mailto:Nora.Passamaneck@wilmerhale.com)>  
**Cc:** [DLUCvChen@BakerBotts.com](mailto:DLUCvChen@BakerBotts.com); WH Genia UCSC <[WHGeniaUCSC@wilmerhale.com](mailto:WHGeniaUCSC@wilmerhale.com)>  
**Subject:** Re: UC v. Genia et al.: correspondence

Counsel,

We write in response to your letter of February 6, 2018 regarding the UC-ONT License Agreement. While we do not concede or waive objections to the relevance or admissibility of the license agreement, in an attempt to address your concerns, we are providing a new production of that document that omits the redactions to which you have objected. The information needed to access that production is below.

We note that there is one remaining redaction of the UC-ONT License Agreement in this production. As noted in our prior letter of January 12, [REDACTED] and we maintain that that redaction is proper under at least FRCP 26. Since your letter of February 6 did not address that basis for redaction, we assume that you are not intending to challenge that single remaining redaction at this time.

Website: <https://houstonftp.roberthalflegal.com>

Username: UCDocumentService

Password: 2YWDyb3z

Filename: 2018-02-09 UCAL VOL006.zip

Zip File password: ReSp\*sPAw5-j

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